

# NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

407T-895820US



In re Application of

Ben Shen et al.

Application Number

09/477,962

Filed

January 5, 2000

For BLEOMYCIN GENE CLUSTER COMPONENTS AND THEIR USES

Group Art Unit  
1652

Examiner

Kathleen M. Kerr

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, December 4, 2002, rejecting the following claims: 1-3, 5, 10, 12-15, 17, 21, 40-

45 and 71-73.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.00

☒ Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 160.00

A statement of small entity status under 37 CFR 1.27:

☐ is enclosed.

☒ has already been filed in this application.

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☐ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0893. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant.

☐ assignee of record of the entire interest.

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a): \_\_\_\_\_

*Irene Pleasure*  
Signature

Irene Pleasure

Typed or printed name

May 5, 2003

Date

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or  
Printed Name

Amelia Groth

Signature

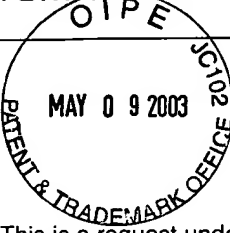
*Amelia Groth*

Date

May 5, 2003

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>	Docket Number (Optional) 407T-895820US
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In re Application of Ben Shen, et al.	
Application Number: 09/477,962	Filed: January 5, 2000
For BLEOMYCIN GENE CLUSTER COMPONENTS AND THEIR USES	
Group Art Unit 1652	Examiner Kathleen M. Kerr

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above-identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$ 110
<input checked="" type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$ 410
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$ 930
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1450
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$1970

☒ Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 205.00.

A small entity statement under 37 CFR 1.27:

☐ is enclosed.

☒ has already been filed in this application.

☐ A check in the amount of the fee is enclosed.

☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0893.

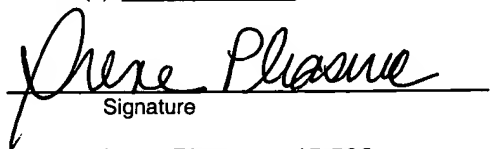
I am the ☐ assignee of record of the entire interest.

☐ applicant.

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

5/5/03  
Date


  
Signature  
Irene Pleasure, 45,506  
Typed or printed name and Reg. No.

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Typed or Printed Name	Amelia Groth		
Signature		Date	May 5, 2003